



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Seventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.184 of 2019

MANSINGH JACOB

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.255/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.SUSIKUMAR, Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 17.12.2018 for the offences punishable under Section 4(1-A) of TNP Act in Crime No.255 of 2018, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner was found in possession of 13 bottles of illicit liquor.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case.

4. The learned Government Advocate(Crl.Side) would submit that there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the



satisfaction of the learned Judicial Magistrate, Sathankulam, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
07/01/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, SATHANKULAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
PERURANI.
4. THE INSPECTOR OF POLICE
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.C.SUSIKUMAR Advocate SR.No.272

ORDER
IN
CRL OP(MD) No.184 of 2019
Date :07/01/2019

MS/VR/SAR-3/07.01.2019/2P.7C